NOTICE OF

TOWN COUNCIL WORKSESSION, PUBLIC HEARING & REGULAR MEETING TOWN OF PROVIDENCE VILLAGE, TEXAS PROVIDENCE VILLAGE TOWN HALL 1745 F.M. 2931, PROVIDENCE VILLAGE, TEXAS

TUESDAY, FEBRUARY 21, 2017

7:30 P.M. Regular Session

MINUTES

REGULAR SESSION 7:30 p.m.

1. CALL TO ORDER AND ANNOUNCE A QUORUM PRESENT:

Mayor Pro-Tem Michael Jordan called the meeting to order at 7:30 p.m. Town Council members present were Alderman Steve Miller, Alderman J. Eric Newton, Alderman Linda Applin and Alderman Chris Blue, being a quorum.

II. PLEDGE OF ALLEGIANCE

- a. United States Flag
- b. Texas Flag:
 - i. Honor the Texas Flag I pledge allegiance to thee Texas, one State under God, one and indivisible

III. INVOCATION

Scott Brantley from Trilogy Church led invocation.

IV. OPEN FORUM:

Bruce French from History Maker Homes addressed the Town Council. Stated that he has had a great experience working with the Town, annexing additional tracts of land into the town limits. He wanted to raise up an opportunity that he thinks collectively our minds can get together and solve. He doesn't have any answers, just raising this up for consideration. Mr. French reported that History Maker was sued by the Providence HOA in an attempt to close down their model homes at the front entrance. He reported that History Maker still has 2 model homes and 4 additional lots in the phases currently in the Providence HOA. He reported that they are selling lots in other areas of Providence Village and they feel they are fully in compliance with the CCR's, Town zoning standards and the Town's sign standards and have been a very good corporate citizen. Mr. French went on to stated that there had been a couple of attempts to include other developments to be annexed into the HOA with a 66% approval to annex, and a couple of the attempts failed and History Maker

withdrew. Mr. French stated that he doesn't know how to do this, but eventually the town limits would either match the HOA limits or figure out some other way of having another HOA. History Maker has set up a separate HOA for Phase 6C and plan to set up a separate HOA for Phase 7B. History Maker would have preferred to be in the HOA, but due to a lot of other opportunities, there isn't a chance to work with the Providence HOA. As a result of this lawsuit, there is a lot of distrust that has formed between History Maker and the Providence HOA and it is really unfortunate because we feel that History Maker has been a really good team player. Mr. French stated that he was very heavy hearted to have to present this information to the town, but believed it was information that the Town needed to know. He stated that we'll resolve it, but the distrust really gives us a second thought about additional tracts of land.

Don Kiker reported he would like to be reconsidered for appointments on the Planning and Zoning Commission.

There were no additional requests to address the Town Council.

V. WORKSESSION/COMMITTEE REPORTS/STAFF REPORTS:

a. Monthly Reports from Committees

Communications Committee – Nothing to report EDCEC Committee – Eric Newton reported that he had a conference call with EDC Committee

Emergency Preparedness Committee - Nothing to report

Ordinance Committee – Michael Jordan stated that the landscaping ordinance is was finalized and will be considered later in the agenda.

b. Staff Reports: Code Compliance, Building Permits, Municipal Court, Law Enforcement, Water & Sewer, Administration

Code Compliance – Mike Carroll gave a summary of the written reports for Code Compliance and Building Permits. Two solicitors were caught by Code Enforcement and 30 parking notices have been issued. One solicitor registered.

Law Enforcement – Brice Hicks gave a report of how the DCSO is leaving copies of ordinances on vehicles to identify why they are being noticed. Brice explained that the reason the tickets were slow was due to the death of Officer Walker. There were numerous questions regarding types of offenses on the law enforcement report.

Municipal Court – Jenny Sawyers gave a summary of the municipal court report including the open warrant roundup.

Waste Management – No representative appeared to give a report. Brian Roberson referenced the written report provided.

Water & Sewer - Clay Taylor announced that effective today, a Severn Trent representative is now on staff at Town Hall. He further gave a summary of his written report. Reported on alternating of pumps.

Administration — Brian Roberson provided summary of library report. Brian Roberson explained about the state funding issues that the Aubrey Library has faced in the past and funding requirements per capita which we currently fall short on in Providence Village.

Brian Roberson further reported on the Aubrey Fire Department report. Brian Roberson explained how the fire fund works.

Mr. Roberson further reported that the owners of the property located on the northeast corner of 380 and 2931 have submitted their application for a planned development. He reported that the zoning change signs are posted and notices are out. Mr. Roberson also reported that the owner of the property located at the southeast corner of 2931 and Fishtrap has a PD submitted and we are waiting on site plans to formally approve the application and move forward.

Mr. Roberson reported that MWF, the senior living development proposed on the R&M Materials PD, did not receive the tax credits they had applied for, and while they were looking for additional fund, unfortunately they recently informed the property owner that they were backing out so now he wants to fall back on his original idea of storage units.

USPS is now requiring cluster boxes in the DFW service area. They claim it is more efficient for drivers, but drivers say more people order from Amazon and so they still have to get out of their car and go to the door.

Denton Braswell High School will be holding their open house on March 8th and it is recommended that Council Members try to attend.

- VI. CONSENT AGENDA Items are considered self-explanatory and will be enacted with one motion. There will be no separate discussion of these items unless so requested by at least one member of the Town Council.
 - a. Minute Approval
 - b. Treasury Report
 - c. Pay Bills
 - d. Approve Purchase Orders
 - e. Approve Administrative Actions

Alderman Newton moved to approve Consent Agenda; Alderman Miller seconded. Motion carried: 5 in favor, 0 opposed.

VII. ACTION ITEMS

a. Receive recommendation from Planning and Zoning Commission and conduct Public Hearing to receive input, discuss and take action regarding an ordinance changing the zoning classification from Agricultural District (A) to Single Family Residential

District (R) of the 38.657 acre tract of land identified as that tract of land situated in the James Bridges, Jr. Survey, Abstract Number 36, in Denton County, Texas located on the northeast corner of Dr. Sanders Road and Fishtrap Road.

Brian Roberson reported that the Planning & Zoning Commission held a public hearing this evening as well as discussed it at last month's meeting and recommends approval of the zoning classification change.

Alderman Miller moved to close Regular Session and convene into Public Hearing; Alderman Newton seconded. Motion carried: 5 in favor, 0 opposed. Mayor Pro-Tem Jordan closed Regular Session and opened Public Hearing at 8:19 p.m.

There were no requests to speak for or against in the Public Hearing and Alderman Blue moved to close the Public Hearing and reconvene into Regular Session; Alderman Applin seconded. Motion carried: 5 in favor, 0 opposed. Mayor Pro-Tem Jordan closed Public Hearing and reconvened into Regular Session at 8:20 p.m.

Alderman Blue moved to accept the recommendation from the Planning & Zoning Commission and approve the changing of the zoning classification from Agricultural District (A) to Single Family Residential District (R); Alderman Applin seconded. Motion carried: 5 in favor, 0 opposed.

b. Conduct Public Hearing to receive input, discuss and take action regarding Ordinance No. 2017-102 establishing a Landscaping and Scenic Conservation ordinance within the corporate limits of the Town.

Brian Roberson explained that recent PD's being submitted has created the need for a Landscaping Ordinance. Ordinance committee reviewed and developers have been informed that the ordinance was slated for approval.

Alderman Blue moved to close Regular Session and convene into Public Hearing; Alderman Miller seconded. Motion carried: 5 in favor, 0 opposed. Mayor Pro-Tem Jordan closed Regular Session and opened Public Hearing at 8:25 p.m.

There were no requests to speak for or against in the Public Hearing and Alderman Miller moved to close the Public Hearing and reconvene into Regular Session; Alderman Blue seconded. Motion carried: 5 in favor, 0 opposed. Mayor Pro-Tem Jordan closed Public Hearing and reconvened into Regular Session at 8:25 p.m.

Alderman Miller moved to approve Ordinance No. 2017-102 entitled Landscaping Ordinance; Alderman Blue seconded. Motion carried: 5 in favor, 0 opposed.

c. Consider, discuss and act upon boundary and ETJ matters of Providence Village, including water and sewer rights, duties and obligations.

Nothing for public consumption.

d. Consider, discuss and act upon Interlocal Cooperation Agreement pertaining to law enforcement.

Nothing for public consumption. No action expected.

e. Identify agenda items to be discussed at future meeting.

P&Z resignations Eric Mattson park project.

Alderman Blue moved to close Town Council Regular Session and convene in Executive Session; Alderman Newton seconded. Motion carried: 5 in favor, 0 opposed.

Mayor Pro-Tem Jordan closed Town Council Regular Session and convened into Executive Session at 8:31 p.m.

VIII. EXECUTIVE SESSION

The Town Council will convene into executive session pursuant to Texas Government Code Sections 551.074, Personnel Matters, and 551.071, Consultation with Attorney, to seek the advice of the Town Attorney or other legal counsel concerning pending or contemplated litigation or on a matter in which the duty of the attorney(s) to the Town under Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act.

- Consider, discuss and act upon boundary and ETJ matters of Providence Village, including water and sewer rights, duties and obligations.
- Consider, discuss and act upon Joint Interlocal Cooperation Agreement for Full-Time Law Enforcement Patrol Services Between Denton County and the Town of Providence Village.

Alderman Applin moved to closed Executive Session and reconvene into Town Council Regular Session; Alderman Blue seconded. Motion carried: 5 in favor, 0 opposed.

Mayor Pro-Tem Jordan closed Executive Session and reconvened into Town Council Regular Session at 9:48 p.m.

IX. RECONVENE INTO OPEN SESSION

a. Consider and act upon items discussed in Executive Session.

No action was taken.

X. ADJOURNMENT

Alderman Miller moved to adjourn; Alderman Blue seconded. Motion carried: 5 in favor, 0 opposed.

Meeting was adjourned at 9:48 p.m.

Michael Jordan, Mayor Pro-Tem

3/7/20/7 Date Minutes Approved

Connie S. Hansen, TRMC

Town Secretary

Date Minutes Approved